

between the Texas Indians and the people of Texas.

Respectfully,
BOB BARKER,
 Secretary of the Senate.

ADJOURNMENT

Mr. Roach of Hunt moved that the House adjourn until 11:31 o'clock a. m., Tuesday, October 22.

Question recurring on the motion by Mr. Roach of Hunt, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—67

Adkins	Lindsey
Alsup	Lotief
Atchison	Lucas
Beck	McConnell
Bourne	McFarland
Bradbury	Moffett
Bradford	Morris
Broyles	Morrison
Burton	Newton
Calvert	Padgett
Canon	Palmer
Craddock	Patterson
Daniel	Payne
Davison of Fisher	Quinn
Dickison	Reader
Dwyer	Reed of Bowie
England	Roach of Angelina
Fain	Roach of Hunt
Farmer	Roark
Ford	Rutta
Fox	Sessions
Fuchs	Shofner
Greathouse	Smith
Hardin	Spears
Harris of Archer	Stovall
Head	Tarwater
Hodges	Tennyson
Holland	Venable
Hunt	Wells
Hunter	Westfall
Jones of Falls	Wood of Harrison
Jones of Wise	Worley
Keefe	Youngblood
Lanning	

Nays—59

Adamson	Cowley
Aikin	Crossley
Alexander	Davisson
Ash	of Eastland
Bergman	Dunagan
Butler of Karnes	Dunlap of Hays
Collins	Duvall
Colquitt	Fisher
Colson	Frazer
Cooper	Gibson

Glass	Mauritz
Good	McCalla
Graves	McKee
Gray	McKinney
Hankamer	Nicholson
Hanna	Petsch
Harris of Dallas	Pope
Hartzog	Reed of Dallas
Hill	Roane
Hofheinz	Roberts
Hoskins	Russell
Howard	Scarborough
Hyder	Settle
Jackson	Stinson
James	Thornton
King	Tillery
Knetsch	Waggoner
Latham	Walker
Leonard	Wood of Montague
Luker	Young

Present—Not Voting

Herzik	Jones of Atascosa
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Absent

Butler of Brazos	Lange
Cagle	Leath
Caldwell	Lemens
Celaya	Morse
Clayton	Olsen
Dunlap of Kleberg	Riddle
Jefferson	Steward
Jones of Shelby	

Absent—Excused

Davis	Moore
Fitzwater	Rogers
Huddleston	Stanfield

The House, accordingly, at 11:30 o'clock a. m., adjourned until 11:31 o'clock a. m., Tuesday, October 22.

THIRD DAY

(Tuesday, October 22, 1935)

The House met at 11:31 o'clock a. m., pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Beck
Adamson	Bergman
Adkins	Bourne
Aikin	Bradbury
Alexander	Bradford
Alsup	Broyles
Ash	Burton
Atchison	Butler of Brazos

Butler of Karnes	Knetsch
Cagle	Lange
Caldwell	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Colson	Lucas
Cooper	Luker
Cowley	Mauritz
Craddock	McCalla
Crossley	McConnell
Daniel	McFarland
Davison of Fisher	McKee
Davisson	McKinney
of Eastland	Moffett
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Newton
Dunlap of Kleberg	Nicholson
Duvall	Olsen
Dwyer	Padgett
England	Palmer
Fain	Patterson
Farmer	Payne
Fisher	Petsch
Ford	Pope
Fox	Quinn
Frazer	Reader
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Glass	Riddle
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Greathouse	Roark
Hankamer	Roberts
Hanna	Russell
Hardin	Rutta
Harris of Archer	Scarborough
Harris of Dallas	Sessions
Hartzog	Settle
Head	Shofner
Herzik	Smith
Hill	Spears
Hodges	Stinson
Hofheinz	Stovall
Holland	Tarwater
Hoskins	Tennyson
Howard	Thornton
Hunt	Tillery
Hunter	Venable
Hyder	Waggoner
Jackson	Walker
James	Wells
Jefferson	Westfall
Jones of Atascosa	Wood of Harrison
Jones of Falls	Wood of Montague
Jones of Shelby	Worley
Jones of Wise	Young
Keefe	Youngblood
King	

Absent

Morse

Steward

Absent—Excused

Davis

Moore

Fitzwater

Rogers

Huddleston

Stanfield

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Lord, our God, Thou knowest us better than we know ourselves. Wilt Thou bless each and all according to their several needs. We especially pray just now for the relief and recovery of the afflicted wife of our fellow member; and may we all appreciate our own health of body and mind and the matchless opportunities that come to us. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Davis for today, on motion of Mr. Jones of Atascosa.

Mr. Stanfield for today, on motion of Mr. Hofheinz.

The following members were granted leaves of absence on account of illness:

Mr. Huddleston for today and the balance of the week, on motion of Mr. Ford.

Mr. Rogers for today, on account of illness in his family, on motion of Mr. Nicholson.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Roach of Hunt:

H. B. No. 47, A bill to be entitled "An Act defining the business of well cementing and of cementing casing in oil, gas or water wells, and providing for the payment of an occupation tax by any person engaged in such business so defined, and providing who shall be subject to provisions hereof, etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Wood of Harrison:

H. B. No. 48, A bill to be entitled "An Act levying a license on all persons, firms, or corporations who own, operate a hotel; defining the word "hotel"; defining the word "transient"; making certain exceptions; providing for the collection of said licenses; etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. McCalla:

H. B. No. 49, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State of Texas for the Attorney General's Department for the balance of the fiscal year ending August 31, 1936, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Lindsey and Mr. Sessions:

H. B. No. 50, A bill to be entitled "An Act levying an occupation tax on hotels and tourist camps, fixing the basis upon which such tax shall be computed, providing penalties, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

MOTION TO TAKE UP HOUSE BILL NO. 26

Mr. Reed of Dallas moved that that section of the House Rules which relates to the regular order of business, at this time, be suspended for the purpose of taking up and considering House Bill No. 26.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—70

Adamson	Cooper
Adkins	Cowley
Aikin	Davisson
Alexander	of Eastland
Ash	Dunagan
Atchison	Dunlap of Hays
Bergman	Dunlap of Kleberg
Broyles	Fisher
Butler of Karnes	Frazer
Caldwell	Fuchs
Celaya	Gibson
Clayton	Glass
Collins	Good
Colquitt	Graves
Colson	Hankamer

Hanna
Harris of Dallas
Hartzog
Head
Hill
Hodges
Hofheinz
Holland
Hoskins
Hyder
Jackson
James
Jefferson
King
Knetsch
Latham
Leath
Leonard
Lindsey
Luker
Mauritz

McCalla
McKee
McKinney
Nicholson
Petsch
Pope
Reed of Dallas
Roach of Angelina
Roane
Roark
Roberts
Russell
Sessions
Stinson
Thornton
Tillery
Waggoner
Walker
Wood of Montague
Worley

Nays—58

Alsup	Lotief
Beck	Lucas
Bourne	McConnell
Bradbury	McFarland
Bradford	Moffett
Burton	Morris
Canon	Newton
Craddock	Olsen
Crossley	Padgett
Daniel	Palmer
Davison of Fisher	Patterson
Dickison	Payne
Dwyer	Quinn
England	Reader
Fain	Reed of Bowie
Farmer	Roach of Hunt
Ford	Rutta
Fox	Shofner
Gray	Smith
Greathouse	Spears
Hardin	Stovall
Harris of Archer	Tarwater
Hunt	Tennyson
Hunter	Venable
Jones of Falls	Wells
Jones of Shelby	Westfall
Jones of Wise	Wood of Harrison
Keefe	Young
Lanning	Youngblood

Present—Not Voting

Herzik

Absent

Butler of Brazos	Lemens
Cagle	Morrison
Calvert	Morse
Duvall	Riddle
Howard	Scarborough
Jones of Atascosa	Settle
Lange	Steward

Absent—Excused

Davis
Fitzwater
Huddleston

Moore
Rogers
Stanfield

INSTRUCTIONS TO COMMITTEE
ON REVENUE AND
TAXATION

Mr. Spears moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 22, and 3:00 o'clock p. m., today.

Question recurring on the motion by Mr. Spears, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—78

Adamson	Lanning
Adkins	Lindsey
Aikin	Lotief
Alsup	Lucas
Atchison	McConnell
Beck	McFarland
Bourne	Moffett
Bradbury	Morris
Broyles	Morrison
Burton	Newton
Calvert	Olsen
Craddock	Padgett
Daniel	Palmer
Davison of Fisher	Patterson
Davisson	Payne
of Eastland	Quinn
Dickison	Reader
Dunlap of Hays	Reed of Bowie
England	Roach of Angelina
Fain	Roach of Hunt
Farmer	Roark
Ford	Russell
Fox	Rutta
Frazer	Sessions
Fuchs	Shofner
Glass	Spears
Graves	Stovall
Greathouse	Tarwater
Hardin	Tennyson
Harris of Archer	Tillery
Head	Venable
Hodges	Waggoner
Holland	Walker
Hunt	Wells
Hunter	Westfall
Hyder	Wood of Harrison
Jones of Falls	Wood of Montague
Jones of Shelby	Worley
Jones of Wise	Youngblood
Keefe	

Nays—50

Alexander
Ash

Bergman
Butler of Karnes

Caldwell	James
Canon	Jefferson
Clayton	King
Collins	Knetsch
Colquitt	Latham
Colson	Leath
Cooper	Leonard
Cowley	Mauritz
Crossley	McCalla
Dunagan	McKee
Duvall	McKinney
Fisher	Nicholson
Gibson	Petsch
Good	Pope
Hankamer	Reed of Dallas
Hanna	Riddle
Harris of Dallas	Roane
Hartzog	Roberts
Hill	Scarborough
Hofheinz	Smith
Hoskins	Stinson
Howard	Thornton
Jackson	Young

Present—Not Voting

Gray

Absent

Bradford	Jones of Atascosa
Butler of Brazos	Lange
Cagle	Lemens
Celaya	Luker
Dunlap of Kleberg	Morse
Dwyer	Settle
Herzik	Steward

Absent—Excused

Davis	Moore
Fitzwater	Rogers
Huddleston	Stanfield

Mr. Spears moved to reconsider the vote by which the motion prevailed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Roach of Hunt moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 1, by 3:00 o'clock p. m., today.

Question recurring on the motion by Mr. Roach of Hunt, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71

Adamson	Broyles
Adkins	Burton
Alsup	Calvert
Atchison	Craddock
Beck	Daniel
Bourne	Davison of Fisher
Bradbury	Dickison

Dunlap of Hays	Morrison
Dwyer	Newton
England	Olsen
Fain	Padgett
Farmer	Palmer
Ford	Patterson
Fox	Payne
Frazer	Quinn
Glass	Reader
Graves	Reed of Bowie
Greathouse	Roach of Angelina
Harris of Archer	Roach of Hunt
Head	Russell
Hodges	Rutta
Holland	Sessions
Hunt	Settle
Hunter	Shofner
Hyder	Smith
Jones of Falls	Spears
Jones of Shelby	Stovall
Jones of Wise	Tarwater
Keefe	Tennyson
Lanning	Tillery
Lindsey	Venable
Lucas	Waggoner
McConnell	Westfall
McFarland	Wood of Montague
Moffett	Youngblood
Morris	

Nays—56

Aikin	Jackson
Alexander	James
Ash	Jefferson
Bergman	King
Butler of Karnes	Knetsch
Caldwell	Latham
Canon	Leath
Clayton	Leonard
Collins	Lotief
Colquitt	Mauritz
Colson	McCalla
Cooper	McKee
Cowley	McKinney
Crossley	Nicholson
Davisson	Petsch
of Eastland	Pope
Dunagan	Reed of Dallas
Duvall	Riddle
Fisher	Roane
Gibson	Roark
Good	Roberts
Gray	Scarborough
Hankamer	Stinson
Hanna	Thornton
Hartzog	Walker
Hill	Wells
Hofheinz	Wood of Harrison
Hoskins	Young
Howard	

Present—Not Voting

Luker

Absent

Bradford	Herzik
Butler of Brazos	Jones of Atascosa
Cagle	Lange
Celaya	Lemens
Dunlap of Kleberg	Morse
Fuchs	Steward
Hardin	Worley
Harris of Dallas	

Absent—Excused

Davis	Moore
Fitzwater	Rogers
Huddleston	Stanfield

Mr. Roach of Hunt moved to reconsider the vote by which the motion prevailed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Shofner moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 8, by 3:00 o'clock p. m., today.

Question recurring on the motion by Mr. Shofner, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—81

Adamson	Hardin
Adkins	Harris of Archer
Aikin	Head
Alsup	Hodges
Atchison	Holland
Beck	Hunt
Bourne	Hunter
Bradbury	Hyder
Broyles	James
Burton	Jones of Falls
Calvert	Jones of Shelby
Canon	Jones of Wise
Clayton	Keefe
Craddock	Lanning
Daniel	Lindsey
Davisson of Fisher	Lotief
Davisson	Lucas
of Eastland	McConnell
Dickison	McFarland
Dunlap of Hays	Moffett
Dwyer	Morris
England	Morrison
Fain	Newton
Farmer	Olsen
Ford	Padgett
Fox	Palmer
Frazer	Patterson
Fuchs	Payne
Glass	Petsch
Graves	Reader
Greathouse	Reed of Bowie

Roach of Angelina	Stovall
Roach of Hunt	Tarwater
Roark	Tennyson
Russell	Tillery
Rutta	Venable
Sessions	Walker
Settle	Wells
Shofner	Westfall
Smith	Worley
Spears	Youngblood

Nays—44

Alexander	Jefferson
Bergman	King
Butler of Karnes	Knetsch
Caldwell	Latham
Collins	Leath
Colquitt	Leonard
Colson	Luker
Cooper	Mauritz
Cowley	McCalla
Crossley	McKee
Fisher	McKinney
Gibson	Nicholson
Good	Pope
Hankamer	Reed of Dallas
Hanna	Riddle
Harris of Dallas	Roane
Hartzog	Roberts
Hill	Scarborough
Hofheinz	Stinson
Hoskins	Thornton
Howard	Wood of Montague
Jackson	Young

Present—Not Voting

Gray

Absent

Ash	Jones of Atascosa
Bradford	Lange
Butler of Brazos	Lemens
Cagle	Morse
Celaya	Quinn
Dunagan	Steward
Dunlap of Kleberg	Waggoner
Duvall	Wood of Harrison
Herzik	

Absent—Excused

Davis	Moore
Fitzwater	Rogers
Huddleston	Stanfield

Mr. Shofner moved to reconsider the vote by which the motion prevailed, and to table the motion to reconsider.

The motion to table prevailed.

MOTION FOR SPECIAL ORDER

Mr. Frazer moved that House Bill No. 6, be set as special order for 10:00 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Frazer, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—42

Alexander	Hoskins
Atchison	Hyder
Bergman	James
Butler of Brazos	Jefferson
Butler of Karnes	Mauritz
Caldwell	McKee
Calvert	Newton
Clayton	Nicholson
Collins	Olsen
Cowley	Patterson
Dunlap of Hays	Pope
Duvall	Roach of Angelina
Frazer	Roane
Glass	Russell
Good	Settle
Hankamer	Shofner
Hanna	Spears
Hartzog	Thornton
Head	Wells
Herzik	Worley
Hill	Young

Nays—88

Adamson	Greathouse
Adkins	Hardin
Aikin	Harris of Archer
Alsup	Harris of Dallas
Ash	Hodges
Beck	Hofheinz
Bourne	Holland
Bradbury	Howard
Bradford	Hunt
Broyles	Hunter
Burton	Jackson
Canon	Jones of Falls
Colquitt	Jones of Shelby
Colson	Jones of Wise
Cooper	Keefe
Craddock	King
Crossley	Knetsch
Daniel	Lanning
Davison of Fisher	Latham
Davisson	Leath
of Eastland	Lindsey
Dickison	Lotief
Dwyer	Lucas
England	Luker
Fain	McCalla
Farmer	McConnell
Fisher	McFarland
Ford	McKinney
Fox	Moffett
Fuchs	Morris
Gibson	Morrison
Graves	Padgett
Gray	Palmer

Payne	Stovall
Petsch	Tarwater
Quinn	Tennyson
Reader	Tillery
Reed of Bowie	Venable
Reed of Dallas	Waggoner
Roach of Hunt	Walker
Roark	Westfall
Rutta	Wood of Harrison
Sessions	Wood of Montague
Smith	Youngblood
Stinson	

Absent

Cagle	Leonard
Celaya	Morse
Dunagan	Riddle
Dunlap of Kleberg	Roberts
Jones of Atascosa	Scarborough
Lange	Steward
Lemens	

Absent—Excused

Davis	Moore
Fitzwater	Rogers
Huddleston	Stanfield

RECESS

Mr. Reed of Dallas moved that the House recess to 2:00 o'clock p. m., today.

Mr. Roach of Hunt moved that the House recess to 3:00 o'clock p. m., today.

Question recurring on the motion by Mr. Reed of Dallas, it prevailed, and the House, accordingly, at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

INSTRUCTIONS TO COMMITTEE
ON REVENUE AND
TAXATION

Mr. Hunt moved that the Committee on Revenue and Taxation be instructed to make recommendations to the House on House Bill No. 11, by 10:00 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Hunt, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—66

Adamson	Aikin
Adkins	Alsup

Beck	Jones of Wise
Bourne	Keefe
Bradbury	Leath
Broyles	Lindsey
Cagle	Lotief
Calvert	Mauritz
Canon	McConnell
Colson	Moffett
Craddock	Morris
Daniel	Newton
Davison of Fisher	Padgett
Dickison	Palmer
Dunlap of Hays	Patterson
England	Quinn
Fain	Roach of Angelina
Farmer	Roach of Hunt
Ford	Roane
Fox	Rutta
Fuchs	Sessions
Glass	Settle
Graves	Shofner
Gray	Smith
Hardin	Spears
Harris of Archer	Stovall
Holland	Tillery
Hunt	Venable
Hunter	Wells
Hyder	Westfall
Jones of Atascosa	Wood of Montague
Jones of Falls	Worley
Jones of Shelby	Youngblood

Nays—47

Alexander	King
Atchison	Knetsch
Bergman	Latham
Burton	Lucas
Caldwell	McCalla
Collins	McFarland
Colquitt	McKee
Cooper	McKinney
Cowley	Morrison
Crossley	Nicholson
Davisson	Payne
of Eastland	Pope
Dunagan	Reader
Duvall	Reed of Bowie
Fisher	Reed of Dallas
Frazer	Riddle
Gibson	Roark
Hanna	Russell
Harris of Dallas	Scarborough
Hill	Steward
Hodges	Tarwater
Hofheinz	Thornton
Jackson	Walker
James	Young

Present—Not Voting

Herzik

Absent

Ash	Butler of Brazos
Bradford	Butler of Karnes

Celaya	Lanning
Clayton	Lemens
Dunlap of Kleberg	Leonard
Dwyer	Luker
Good	Morse
Greathouse	Olsen
Hankamer	Petsch
Hartzog	Roberts
Head	Stinson
Hoskins	Tennyson
Howard	Waggoner
Jefferson	Wood of Harrison
Lange	

Absent—Excused

Davis	Moore
Fitzwater	Rogers
Huddleston	Stanfield

Mr. Worley moved that the Committee on Revenue and Taxation be instructed to make recommendation to the House on House Bill No. 5, after the public hearing on next Wednesday night.

The motion prevailed.

MOTION TO INSTRUCT COMMITTEE ON REVENUE AND TAXATION

Mr. Dwyer moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 17, by 9:00 o'clock p. m., today.

The motion was lost.

RELATIVE TO RESOLUTION PERIOD

Mr. Aikin moved that the House dispense with the consideration of resolutions at this time.

The motion prevailed.

HOUSE BILL NO. 26 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 26, A bill to be entitled "An Act creating a System of Old Age Assistance in Texas; placing restrictions on the granting of such assistance; creating the Texas Old Age Assistance Commission; etc., and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Davisson of Eastland, and substitute amendment by Mr. Aikin for the section of the amendment by Mr. Davisson of Eastland, relative to amount of property, and motion by

Mr. Calvert to table the substitute amendment by Mr. Aikin, pending.

Mr. Fain moved the previous question on the pending amendments, amendments on the Speaker's desk, and the passage of House Bill No. 26 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—50

Adkins	Hunter
Ash	Hyder
Bradbury	James
Bradford	Jefferson
Burton	King
Butler of Brazos	Lemens
Cagle	Leonard
Clayton	Lotief
Collins	McKee
Colquitt	Morris
Crossley	Morrison
Davisson	Newton
of Eastland	Nicholson
Dunagan	Olsen
Dunlap of Hays	Padgett
Duvall	Payne
Dwyer	Reader
Fain	Reed of Bowie
Fisher	Reed of Dallas
Ford	Settle
Frazer	Spears
Fuchs	Stinson
Gray	Waggoner
Hanna	Westfall
Harris of Dallas	Worley
Holland	

Nays—79

Adamson	Glass
Aikin	Graves
Alexander	Hankamer
Alsup	Hardin
Atchison	Harris of Archer
Beck	Herzik
Bergman	Hill
Bourne	Hodges
Broyles	Hofheinz
Butler of Karnes	Howard
Calvert	Jackson
Canon	Jones of Atascosa
Cooper	Jones of Falls
Cowley	Jones of Wise
Craddock	Keefe
Davison of Fisher	Knetsch
Dickison	Lanning
England	Latham
Farmer	Lindsey
Fox	Lucas
Gibson	Luker

Mauritz	Rutta
McCalla	Scarborough
McConnell	Sessions
McFarland	Shofner
McKinney	Smith
Moffett	Steward
Palmer	Stovall
Patterson	Tarwater
Petsch	Tennyson
Pope	Thornton
Quinn	Tillery
Riddle	Venable
Roach of Angelina	Walker
Roach of Hunt	Wells
Roane	Wood of Harrison
Roark	Wood of Montague
Roberts	Young
Rogers	Youngblood
Russell	

Absent

Caldwell	Head
Celaya	Hoskins
Colson	Hunt
Daniel	Jones of Shelby
Dunlap of Kleberg	Lange
Good	Leath
Greathouse	Morse
Hartzog	

Absent—Excused

Davis	Moore
Fitzwater	Stanfield
Huddleston	

Mr. Fain moved that the Rule, relative to debate, be suspended and that debate on House Bill No. 26 be limited to five minutes for each speaker.

The motion was lost.

Question recurring on the motion by Mr. Calvert to table the substitute amendment by Mr. Aikin, it prevailed.

Mr. Lindsey offered the following substitute for that section of the amendment by Mr. Davisson of Eastland in regard to ownership of property:

Amend House Bill No. 26 Section 2, page 2, subsection (g), page 2, by placing a comma for the semicolon after the word "value" in line 32, then add the following words:

"exclusive of a residence homestead."

On motion of Mr. Davisson of Eastland, the substitute amendment was tabled.

Mr. Calvert moved to table that section of the amendment by Mr. Davisson of Eastland, which relates to ownership of property.

The motion to table prevailed.

Mr. Pope offered an amendment to the bill which amendment was ordered not printed in the Journal.

(Mr. Frazer in the Chair.)

On motion of Mr. Lotief, the amendment by Mr. Pope was tabled.

Mr. Hunt offered an amendment to the bill, which amendment was ordered not printed in the Journal, same having been printed in mimeograph form.

On motion of Mr. Russell, the amendment by Mr. Hunt was tabled.

Mr. Broyles offered the following amendment to the bill:

Amend House Bill No. 26 by striking out Section "j", page 2 and substitute in lieu thereof:

"Who has no husband or wife—as the case may be—and/or guardian able to furnish him or her adequate support as set forth in the provisions of this Act."

The amendment was adopted.

Mr. Good offered the following amendment to the bill:

Amend House Bill No. 26 by striking out the last sentence in Section 8 thereof, and inserting in lieu thereof the following:

"For the purpose of paying the aid and assistance to needy citizens of Texas as herein provided for, and for the purpose of defraying the expenses of administering this Act, there is hereby created and established a special fund in the Treasury of the State of Texas, to be kept by the State Treasurer separate and apart from all other funds, and to be known as the Old Age Assistance Fund, and for the purposes above set out there is hereby appropriated out of such fund the sum of Twenty-five Million (\$25,000,000.00) Dollars, or so much thereof as may be necessary, for the biennium ending September 1, 1937. Provided that if the fund is insufficient to pay all grants in full, the same shall be paid pro rata to each applicant."

GOOD,
CALVERT.

(Speaker in the Chair.)

Mr. Westfall offered the following amendment to the amendment by Mr. Good:

Amend amendment by Mr. Good and Mr. Calvert by adding the following:

"No deficiency warrant shall ever be drawn against this fund."

Mr. Morrison moved to table the amendment by Mr. Westfall.

The motion to table was lost.

Mr. Greathouse offered the following substitute for the amendment by Mr. Westfall:

Amend the amendment by adding the following:

"Any deficiency warrants drawn upon this fund shall bear interest at the rate of six (6%) per cent per annum."

Mr. Stinson raised a point of order on further consideration of the substitute amendment by Mr. Greathouse, on the ground that the amendment violates certain constitutional provisions.

The Speaker sustained the point of order.

Mr. Pope offered the following substitute for the amendment by Mr. Westfall:

Amend the amendment by adding the following:

"No warrant shall be drawn on the Pension Fund unless there be sufficient funds therein to pay such warrants."

Question — Shall the substitute amendment by Mr. Pope be adopted?

PRESENTATION TO HONORABLE AND MRS. HOMER LEONARD

Mr. Young, having been recognized by the Chair, presented Hon. and Mrs. Homer Leonard, on behalf of the members of the House, with a combination waffle set, electric toaster and linen set.

Mr. and Mrs. Leonard addressed the House, expressing appreciation of the gifts.

On motion of Mr. Canon, the remarks of Mr. Young in making the presentation were ordered printed in the Journal, as follows:

"Mr. Speaker and Members of the House:

"May I ask you to dispense with the present subject which has some unpleasantness and has us somewhat agitated and go with me for a few minutes into a more pleasant field of thought.

"Sometime ago one of the best beloved members of the House took unto himself a wife. We are a little bit

late in paying our compliments to Mr. and Mrs. Homer Leonard, but as the old saying goes, better late than never, and all things come to those who wait. I am sure when Homer and Nona see the beautiful gift which the House has bought for them, they will think it was well worth waiting for. We believe there is none more worthy of the gift than they.

"Homer Leonard has always been recognized as a very valued member of the House, both in the Forty-fourth Legislature and others preceding it. We all appreciate his sterling worth and character. But Homer's importance increased more than two-fold when he brought into our midst the beautiful, charming, auburn-haired Nona, who spreads rays of sunshine among us with her friendly manner and endearing smile.

"Homer and Nona, we wish you a long, happy and prosperous life. May all your troubles be little ones.

"May there be a thread of sunshine
In your tapestry of years,
Like a little bit of magic
Weaving everything that cheers,
May it sparkle with your memory
And glisten with your dreams,
May its golden weavings picture
Only dear and happy scenes,
Like a smile that never changes,
Like a heart that knows no tears;
May there be a thread of sunshine
In your tapestry of years.'"

J. D. YOUNG.

RECESS

Mr. Gray moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Lotief moved that the House recess to 9:00 o'clock a. m., tomorrow.

Mr. Rogers moved that the House recess to 8:00 o'clock p. m., today.

Mr. Hanna moved that the House adjourn until 9:00 o'clock a. m., tomorrow.

Mr. Morse moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Gray, it prevailed and the House, accordingly, at 5:45 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Revenue and Taxation filed favorable reports on bills as follows:

House Bills Nos. 1, 8, 22, 28 and 34.

THIRD DAY

(Continued)

(Wednesday, October 23, 1935)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

MESSAGE FROM THE SENATE

Austin, Texas, October 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

H. B. No. 27, A bill to be entitled "An Act making an appropriation of the sum of One Hundred Thousand (\$100,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the per diem of members and the per diem of officers and employees of the Second Called Session of the Forty-fourth Legislature, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Executive Office,

Austin, Texas, October 23, 1935.

To the Members of the Forty-fourth Legislature.

(In Second Called Session):

In view of the progress made in connection with old age pension legislation, I am submitting to you the matter of substituting salaries for fees as provided in the constitutional amendment adopted on August 24th.

I am sure I need not emphasize the importance of action on this subject during this session.

I also submit for your consideration the following matters:

1

House Bill 15, by Knetsch, reducing the period for calling school elections from three weeks to ten days.

I am advised by PWA authorities that more than 150 applications for Federal funds are affected by this requirement. The bill has already passed the House.

2

A bill by Olsen to authorize the Yoakum school district to qualify for Federal funds.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 27, "An Act making an appropriation of the sum of One Hundred Thousand (\$100,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the per diem of members and the per diem of officers and employees of the Second Called Session of the Forty-fourth Legislature, and declaring an emergency."

HOUSE BILL NO. 26 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 26, A bill to be entitled "An Act creating a System of Old Age Assistance in Texas; placing restrictions on the granting of such assistance; creating the Texas Old Age Assistance Commission; etc., and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Good and Mr. Calvert and amendment by Mr. Westfall, to the amendment, and substitute amendment, by Mr. Pope, for the amendment by Mr. Westfall, pending.